



Rep. La Shawn K. Ford

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1 AMENDMENT TO HOUSE BILL 1485

2 AMENDMENT NO. _____. Amend House Bill 1485 on page 1, line
3 5, after "10-14.1", by inserting "and 10-15.1"; and

4 on page 2, by inserting immediately below line 14 the
5 following:

6 "(305 ILCS 5/10-15.1)

7 Sec. 10-15.1. Judicial registration of administrative
8 support orders and administrative paternity orders.

9 (a) A final administrative support order or a final
10 administrative paternity order, excluding a voluntary
11 acknowledgement or denial of paternity that is governed by
12 other provisions of this Code, the Illinois Parentage Act of
13 1984, and the Vital Records Act, established by the Illinois
14 Department under this Article X may be registered in the
15 appropriate circuit court of this State by the Department or by
16 a party to the order by filing:

1 (1) Two copies, including one certified copy of the
2 order to be registered, any modification of the
3 administrative support order, any voluntary acknowledgment
4 of paternity pertaining to the child covered by the order,
5 and the documents showing service of the notice of support
6 obligation that commenced the procedure for establishment
7 of the administrative support order or the administrative
8 paternity order pursuant to Section 10-4 of this Code.

9 (2) A sworn statement by the person requesting
10 registration or a certified copy of the Department payment
11 record showing the amount of any past due support accrued
12 under the administrative support order.

13 (3) The name of the obligor and, if known, the
14 obligor's address and social security number.

15 (4) The name of the obligee and the obligee's address,
16 unless the obligee alleges in an affidavit or pleading
17 under oath that the health, safety, or liberty of the
18 obligee or child would be jeopardized by disclosure of
19 specific identifying information, in which case that
20 information must be sealed and may not be disclosed to the
21 other party or public. After a hearing in which the court
22 takes into consideration the health, safety, or liberty of
23 the party or child, the court may order disclosure of
24 information that the court determines to be in the interest
25 of justice.

26 (b) The filing of an administrative support order or an

1 administrative paternity order under subsection (a)
2 constitutes registration with the circuit court.

3 (c) (Blank).

4 (c-5) Every notice of registration must be accompanied by a
5 copy of the registered administrative support order or the
6 registered administrative paternity order and the documents
7 and relevant information accompanying the order pursuant to
8 subsection (a).

9 (d) (Blank).

10 (d-5) The registering party shall serve notice of the
11 registration on the other party by first class mail, unless the
12 administrative support order or the administrative paternity
13 order was entered by default or the registering party is also
14 seeking an affirmative remedy. The registering party shall
15 serve notice on the Department in all cases by first class
16 mail.

17 (1) If the administrative support order or the
18 administrative paternity order was entered by default
19 against the obligor, the obligor must be served with the
20 registration by any method provided by law for service of
21 summons.

22 (2) If a petition or comparable pleading seeking an
23 affirmative remedy is filed with the registration, the
24 non-moving party must be served with the registration and
25 the affirmative pleading by any method provided by law for
26 service of summons.

1 (e) A notice of registration of an administrative support
2 order or an administrative paternity order must provide the
3 following information:

4 (1) That a registered administrative order is
5 enforceable in the same manner as an order for support or
6 an order for paternity issued by the circuit court.

7 (2) That a hearing to contest enforcement of the
8 registered administrative support order or the registered
9 administrative paternity order must be requested within 30
10 days after the date of service of the notice.

11 (3) That failure to contest, in a timely manner, the
12 enforcement of the registered administrative support order
13 or the registered administrative paternity order shall
14 result in confirmation of the order and enforcement of the
15 order and the alleged arrearages and precludes further
16 contest of that order with respect to any matter that could
17 have been asserted.

18 (4) The amount of any alleged arrearages.

19 (f) A nonregistering party seeking to contest enforcement
20 of a registered administrative support order or a registered
21 administrative paternity order shall request a hearing within
22 30 days after the date of service of notice of the
23 registration. The nonregistering party may seek to vacate the
24 registration, to assert any defense to an allegation of
25 noncompliance with the registered administrative support order
26 or the registered administrative paternity order, or to contest

1 the remedies being sought or the amount of any alleged
2 arrearages.

3 (g) If the nonregistering party fails to contest the
4 enforcement of the registered administrative support order or
5 the registered administrative paternity order in a timely
6 manner, the order shall be confirmed by operation of law.

7 (h) If a nonregistering party requests a hearing to contest
8 the enforcement of the registered administrative support order
9 or the registered administrative paternity order, the circuit
10 court shall schedule the matter for hearing and give notice to
11 the parties and the Illinois Department of the date, time, and
12 place of the hearing.

13 (i) A party contesting the enforcement of a registered
14 administrative support order or a registered administrative
15 paternity order or seeking to vacate the registration has the
16 burden of proving one or more of the following defenses:

17 (1) The Illinois Department lacked personal
18 jurisdiction over the contesting party.

19 (2) The administrative support order or the
20 administrative paternity order was obtained by fraud.

21 (3) The administrative support order or the
22 administrative paternity order has been vacated,
23 suspended, or modified by a later order.

24 (4) The Illinois Department has stayed the
25 administrative support order or the administrative
26 paternity order pending appeal.

1 (5) There is a defense under the law to the remedy
2 sought.

3 (6) Full or partial payment has been made.

4 (j) If a party presents evidence establishing a full or
5 partial payment defense under subsection (i), the court may
6 stay enforcement of the registered order, continue the
7 proceeding to permit production of additional relevant
8 evidence, and issue other appropriate orders. An uncontested
9 portion of the registered administrative support order or the
10 registered administrative paternity order may be enforced by
11 all remedies available under State law.

12 (k) If a contesting party does not establish a defense
13 under subsection (i) to the enforcement of the administrative
14 support order or the administrative paternity order, the court
15 shall issue an order confirming the administrative support
16 order or the administrative paternity order. Confirmation of
17 the registered administrative support order or the
18 administrative paternity order, whether by operation of law or
19 after notice and hearing, precludes further contest of the
20 order with respect to any matter that could have been asserted
21 at the time of registration. Upon confirmation, the registered
22 administrative support order or the administrative paternity
23 order shall be treated in the same manner as a support order or
24 a paternity order entered by the circuit court, including the
25 ability of the court to entertain a petition to modify the
26 administrative support order due to a substantial change in

1 circumstances or a petition to modify the administrative
2 paternity order due to clear and convincing evidence regarding
3 paternity, or petitions for visitation or custody of the child
4 or children covered by the administrative support order or the
5 administrative paternity order. Nothing in this Section shall
6 be construed to alter the effect of a final administrative
7 support order or a final administrative paternity order, or the
8 restriction of judicial review of such a final order to the
9 provisions of the Administrative Review Law, as provided in
10 Sections ~~Section~~ 10-11 and 10-17.7 of this Code.

11 (Source: P.A. 97-926, eff. 8-10-12; 98-563, eff. 8-27-13.)".